

121-244

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

CRYSTAL MICHELLE SILVAS

Plaintiff

V.

HILTON INTERNATIONAL OF PUERTO RICO,
INC. et al.

Defendants.

CIVIL NÚM.: 21-cv-1597 (RAM) (BJM)

MOTION FOR EXTENSION OF TIME FOR CASE MANAGEMENT DEADLINES

TO THE HONORABLE COURT:

COMES NOW Hilton International of Puerto Rico, LLC, Chubb Insurance Company, and Pool & Spa Technicians, Corp., through the undersigned attorneys, and very respectfully state, allege, and pray as follows:

1. On October 23, 2022 the parties jointly filed an Amended Joint Case Management Memorandum (See Docket 23) which proposed the discovery deadline to elapse on May 15, 2023, and deadlines for dispositive motions and opposition on June 15, and July 15 2023 respectively.

2. During a hearing held on December 1, 2022, the Court adopted the proposed case management schedule, and set a deadline to submit Rule 26(a) pretrial disclosure on August 20, 2023. See Docket 29. A pretrial conference was set for October 5, 2023 and Trial has been scheduled to be held on November 6-13, 2023. See Docket 34.

3. Court referred the case to Magistrate Judge Bruce McGiverin for a settlement conference to be held during the month of March, 2023, which was initially set to be held on March 22, 2023. See Docket 35.

4. On February 27, 2023. Defendants requested an extension of time until March 31, 2023 to disclose their experts reports. Defendants also informed that plaintiffs' depositions were scheduled to be held on March 6 and 8 and requested continuance of the settlement conference until after their experts' reports were rendered. See Docket 36. The Court granted the extensions requested and reset the settlement hearing to May 3, 2023. See Dockets 37 and 39.

5. Discovery continued as informed in defendants' motions at Docket 36, their experts reports were timely disclosed, and plaintiffs' depositions were held. During plaintiffs' depositions, certain information was requested, which has been partially disclosed. Defendants also requested plaintiffs the availability of their experts to depose them within the discovery deadline.

6. On May 3, 2023, a settlement conference was held. See Docket 40. Plaintiffs as well as defendants informed the Court that they are far apart, and that depositions to the experts could help for parties to better assess their respective claims and defenses. Both parties informed the Court that the ideal time to discuss settlement would be after depositions to the experts have been taken, and that is the only discovery pending in the case. Plaintiffs agreed to provide their experts availability as soon as practicable and stated that it would have no objection to a deposition being held after the expiration of the discovery period, if needed. Defendant expressed that if the availability that plaintiff offered was outside of the discovery period, they would request an extension for the discovery deadline and dispositive motions deadline. The court advised that any extension would need to be granted by the Presiding Judge and were instructed to suggest three alternative dates for settlement conference.

7. After the settlement conference, plaintiffs provided availability for their experts, May 16, 2023 for their economic expert, June 22, 2023 for the engineering expert and August 3, 2023 for their medical expert.

8. Appearing parties respectfully request an extension of the discovery deadline to conduct the depositions of plaintiffs' experts. Both parties acknowledge that this discovery is needed so that the case could be trial ready, and parties could either appropriately pursue their respective claims and defenses or be better prepared to engage in meaningful settlement conversations. Therefore, appearing parties jointly request that the pending pretrial deadlines be extended as follows:

MILESTONES

DATES

Conclusion of Discovery

August 4, 2023

Dispositive Motions Due

September 1, 2023

Oppositions to dispositive motions

September 22, 2023

9. These requests have been discussed with plaintiffs' counsel who stated to have no objections and authorized appearing parties to so state it in this request.

10. It is further requested that the pretrial conference set for October 5, 2023 and the Trial be continued to a later date.

11. Appearing parties respectfully submit that this request for extension of deadlines is made in good faith in order to enable them to complete the discovery that is necessary for the adequate prosecution and defense of this action and is not intended to unduly delay these proceedings.

WHEREFORE, it is respectfully requested that for the reasons stated above, this Honorable Court grant this motion and extend the discovery deadline and dispositive motions as requested.

In San Juan, Puerto Rico, this May, 12, 2023

I HEREBY CERTIFY that, on this same date, I electronically filed the foregoing with the Clerk of the Court using the Court's CM/ECF system, which will send notice of its filing electronically to the attorneys of record.

Respectfully submitted,

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